

SENATE BILL REPORT

SHB 1555

As Reported By Senate Committee On:
Judiciary, March 23, 2007

Title: An act relating to sexual assault protection orders.

Brief Description: Addressing sexual assault protection orders.

Sponsors: House Committee on Judiciary (originally sponsored by Representatives Williams, Rodne, Lantz, Chase and Ericks).

Brief History: Passed House: 2/28/07, 97-0.

Committee Activity: Judiciary: 3/20/07, 3/23/07 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; Carrell, Hargrove, Roach and Weinstein.

Staff: Dawn Noel (786-7472)

Background: Last year, the Legislature established a new civil protection order called the sexual assault protection order. Any person who is a victim of nonconsensual sexual conduct or penetration that gives rise to a reasonable fear of future dangerous acts may file a petition for a sexual assault protection order. Sexual conduct includes, among other acts, the intentional or knowing touching or forced touching, or the display or forced display of certain intimate body parts.

A domestic violence protection order is a civil remedy when there has been domestic violence between family or household members. Domestic violence means: (1) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury, or assault, between family and household members; (2) sexual assault of one family or household member by another; or (3) stalking of one family or household member by another family or household member.

Family or household members include current and former spouses; persons who have a child in common; adults who have in the past resided together or are currently residing together; persons 16 years of age or older who have in the past or currently have a dating relationship with a person 16 years of age or older; persons who have a biological or legal parent/child relationship, including stepparents, stepchildren, grandparents, and grandchildren.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Substitute Bill: Language is added to explicitly state that a sexual assault protection order is a remedy for victims who do not qualify for a domestic violence protection order.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: A sexual assault protection order is a specific remedy for a certain band of victims who need it most. There are situations in which someone who has been in a domestic relationship is a victim of sexual assault. We want to ensure that those victims who qualify first seek a domestic violence protection order, because there are provisions in there that would better meet their needs, like what to do with custody arrangements for children. This is a technical fix.

Persons Testifying: PRO: Christi Hurt, Washington Coalition of Sexual Assault Programs.